

Hello. I am writing in response to the proposed charter change question regarding 'just cause' evictions to be discussed at the next Charter Change Committee meeting on **Wednesday, September 23, 2020 at 5:30 pm.** I am unable to attend the meeting, but hope my written comments contained herein will be provided to committee members such they can be considered during any deliberations.

My husband and I own one rental property, a duplex, in Burlington. We are especially concerned that the proposal specifically excludes end date of a rental agreement as a 'just cause.' One of the reasons that we purchased the property and have held onto it was to have the option to move back into it in our retirement. We have always also counted on the fact that my husband or I could move into one of the units if we were to split up or if our financial situation otherwise necessitated it; Or to be able to use the unit to house our children while they attend college. It seems as though, given the proposed wording of the charter change, our right to use our own property in these ways would be effectively eliminated, even when ample notice is provided.

Additionally, in order to keep up the value of their investments, it is reasonable that landlords be able to maintain and update apartments periodically while they are unoccupied and to be able to negotiate lease periods accordingly to allow for this. This also obviously benefits renters in the long run. It seems like this would also be negatively impacted by the proposed charter change.

In more than 15 years of owning our duplex, we have only exercised the option of 'no cause' eviction one time and it was at the end of the lease period. In that situation, the tenant chronically paid rent late which, as small-time rental property owners, jeopardized our ability to pay our mortgage on time. A 'no cause' eviction (i.e., opting to not renew the lease) was a way to end the tenancy with less animosity and without negatively impacting the tenant's rental record. I would assume that many other 'no cause' evictions in Burlington may similarly have in actuality 'just causes.'

My other concern about the proposed charter change is that it seems to be holding rental property owners to an entirely different standard than other businesses. If a person leases a vehicle from a car dealership, they don't get to decide unilaterally to extend the lease beyond the originally agreed-upon time. If an individual rents a vacation property or hotel room for a week, they don't get to decide they want to stay longer when their reserved rental period ends. Leases are legal documents with finite time periods. It seems odd to me that the City could have the right to interfere in this way with a contract that is agreed upon by consenting adults.

I am happy to provide clarification about the views I've shared above or to answering questions, if needed. The best way to reach me is by email to this address. Thank you for your consideration.

Pam Shea
129 Cross Parkway
Burlington

On Sep 21, 2020, at 5:01 PM, William Ward <wward@burlingtonvt.gov> wrote:

Dear Property Owners/Property Managers:

I was asked by the Charter Change Committee to send you a notice that The City of Burlington is hosting a Charter Change Committee meeting **on Wednesday, September 23, 2020 at 5:30 pm.** Your input is welcome at the meeting.

The item of interest for property owners is a Charter Change question:

“Shall the Charter of the City of Burlington, Acts of 1949, No.298 as amended, be further amended by adopting and adding a new section 48(66) to read as follows: **’To provide by ordinance protecting for residential tenants from eviction without “just cause,” where just cause may include but is not limited to (a) a material breach of a written rental agreement, (b) violation of state statutes regulating tenant obligations in residential rental agreements, (c) non-payment of rent while just cause may exclude (a) expiration of rental agreements (b) personal disagreements. The ordinance may also set a maximum rent increase with the purpose of preventing de facto evictions. The ordinance may require that landlords provide notice of just cause and other legal requirements as part of the rental agreement;’?**”

Burlington City Council Charter Change Committee
When

Wed, September 23, 5:30pm – 7:30pm

Where: This meeting will be entirely remote and virtual.

Contact: Linda Blanchard
Email: lblanchard@burlingtonvt.gov
Phone: [802-865-7121](tel:802-865-7121)

Agenda: <http://www.boarddocs.com/vt/burlingtonvt/Board.nsf/Public>
Join Zoom Meeting

<https://us02web.zoom.us/j/87870223214?pwd=YTlSREprYzkvdXhrZ0c3cUFRZTRqdZ09>

Please see the attached Resolution and Agenda for the meeting. I encourage you to provide input at the meeting and not via reply to me. Thank you.

Bill